ರನ್ನಾಗಿ ಮಾಡಿದರೆ ಅವರು ಅದರಲ್ಲಿ ಹೆಚ್ಚು ಸಕ್ರಿಯವಾಗಿ ಭಾಗವಹಿಸುವುದು ಮಂತ್ರಿ that will be more practical and more beneficiai ಎಂಬುದನ್ನು ಬಹುಶಃ ತಾವು ಗಮನಿಸಬೇಕಂ. ಆದ್ದರಿಂದ ಯಾವಾಗ ಒಂದು ಕಮ್ಯಾಂಡ್ ಏರಿಯಾ ಅಥಾರಿಟಿ ಎಂದು ನೀವುಕ ಮಾಡುತ್ತಾರೆ ಆಗ ಆ ಒಂದಂ ವಿಶಿಷ್ಟವಾದ ಕಮ್ಯಾಂಡ್ ಏರಿಯಾ ಅಥಾರಿಟಿಯಿಂದ ಹೆಚ್ಚು ಫಲಿತಾಂಶವನ್ನು ಹೆಚ್ಚು ಕಾರ್ಯಕ್ರಮಗಳನ್ನು ನಾವು ನಿರೀಕ್ಷಿಸಬಹುದೆಂದು ನನಗನಿಸುತ್ತದೆ. ಆದುದರಿಂದ ತಾವು ಈ ಕಾರ್ಯಕ್ರಮ ಹೆಚ್ಚು ಸಫಲವಾಗಬೇಕಾದರೆ ನಿಯೋಜಿತ ಅಧಿಕಾರಿಗಳಿಗೆ ಹೆಚ್ಚು ಫ್ಲೆಕ್ಸಿ ಬಲಿಟಿ ಮತ್ತು ಅಧಿಕಾರವನ್ನು ಕೊಡಬೇಕೆಂದು ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. ತಾವು ಇದನ್ನು ಸೆಲೆಕ್ಟ್ ಕಮೀಟಿಗೆ ಕಳುಹಿಸಿದರೆ ಇನ್ನೂ ಪ್ರಾಮುಖ್ಯವಾದ ಕೆಲಸಗಳಾಗುತ್ತವೆ. ನಾನು ಹೇಳುವ ಪ್ರಕಾರ ಐತಿಹಾಸಿಕವಾದ ಈ ಮಸೂದೆಯ ಬಗ್ಗೆ ಹೆಚ್ಚಿನ ಸಲಹೆ ಕೊಡುವಂತೆ ಮಾಡಿದರೆ ಇನ್ನೂ ಹೆಚ್ಚಿನ ಪ್ರಯೋಜನವಾಗಬಹುದೆಂದು ನಂಬುತ್ತೇನೆ. ನಾನು ಇನ್ನು ಹೆಚ್ಚು ಮಾತನಾಡುವುದಕ್ಕೆ ಹೋಗದೆ ಇದನ್ನು ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಕಳುಹಿಸಿದರೆ ಹೆಚ್ಚಿನ ಪ್ರಯೋಜನಕಾರಿಯಾಗುತ್ತದೆಂದು ಸೂಚಿಸಿ ಈ ಮಸೂದೆಯನ್ನು ಹೃತ್ಪೂರ್ವಕವಾಗಿ ಸ್ವಾಗತಿಸುತ್ತಾ, ಇಷ್ಟು ಮಾತನಾಡಲು ಅವಕಾಶ ಕೊಟ್ಟದ್ದಕ್ಕಾಗಿ ಅಧ್ಯಕ್ಷರನ್ನು ವಂದಿಸಿ ನನ್ನ ಒಂದೆರಡು ಮಾತುಗಳನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

SRI B. BHASKAR SHETTY.—Sir, I move :

"That the debate on the Motion for consideration of Karnataka Command Areas Development Bill, 1979 be adjourned and the other two Bills put in the Agenda may be taken up"

Mr. CHAIRMAN : Motion moved.

"That the debate on the Motion for consideration of Karnataka Command Areas Development Bill, 1979 be adjourned and the other two Bills put in the Agenda may be taken up"

The Motion was adopted.

MR. CHAIRMAN.—We will take up other Bills now.

(Karnataka Pawn Brokers (Amendment)Bill, 1979
Motion to Consider

SRI V. M. KUSHNOOR. (Minister for Coperation.). – I move :

"That the Karnataka Pawn Brokers (Amendment) Bill, 1979 be taken into consideration".

The question was proposed

This is a simple amendment which the Govt. has brought some time back. It has been brought to the notice of the Govt. that pawn brokers are hypothecating the same articles in the Nationalised Banks and other Scheduled Banks and again they are advancing loans at higher rate of interest to the poor people Therefore, Government thought that there must be some amendment to Sec. 16. Earlier there was no provision to control them from doing such things. Therefore, we thought it proper to bring this amendment replacing

the word "Sells," the words "hypothecates, pawns" will be inserted. Similarly, in the earlier Act there was no punishment for those who contravene the law.

Now we have brought that provision also and made the penalty severe. Formerly though there was a clause for imposing panalty upto Rs. 1000 they were putting fines only one or two rupees. Therefore, we have proposed minimum punishment of one month and a minimum fine of Rs. 500. We have also brought amendments to Sec. 16A, 19 and 20. According to Sec. 16A any pawnbroker pawned or hypothecated any pledge with any person, such pawnbroker shall, redeem the pledge within thrity days from the date of such commencement. Whoever contravenes the provision, will be punished. Therefore, I request the House to accept this Bill unanimously.

†SRI C.M. ARMUGHAM (K.G.F.)-: Sir, this Bill was passed in 1961 and in the past somany years, we have raised several points on this Bill. This Pawn Brokers Act is Just like the licence given to smugglers, to loot the people in the State There is no method of inspection on these pawn brokers and police officers are also not visiting these people.

The poor labourers pledge articles with the pawn brokers. By giving this licence, you are increasing these individuals. You are determined to loot people. In the Pawn Brokers Act it is not mentioned what are the articles that should be pledged. The pawn brokers receive not only gold jewels but also other articles. I am coming from a workers area. A person pledges an umbrella with the pawn broker and another person who is in need of an umbrella comes to him and he gives it to the second man. If the owner comes to recover the umbrella he says : You have not pledged the umbrella. There is no receipt issued. There is no measure to check all these irregularities and illegal things which are going on. What is the interest they are charging ? I compliment the Government under the leadership of Mr Devaraj Urs for bringing the Debt Relief Act which helped one crore people and 116 crores is the amount involved. But here, nobody inspects the pawn brokers shops. For gold articles, they charge 4-5 per cent per month or 40-50 per cent per year. Can you tell me how many pawn brokers licenses have been sanctioned ? If a person takes 30 rupees he will have to give back 200 rupees. Therefore, you must check these pawn brokers all over the State. You believe in cooperative movement. If facilities are made available in co-operative societies the poor workers will not be forced to go to pawn brokers shops. The pawn broker receives every thing except. a human being. Even a dog can be pledged with the pawn broker.

There fore, my suggestion is that there must be periodical inspection of the pawn brokers. If these people do not have water, they drink something else. They drink, whisky, brandy, rum, and foreign whisky ; they drink something else also.

An hon. Member.—What is it ?

SRI C. M. ARMUGHAM.- I am not going to say. If there is scarcity for water, these pawn brokers are prepared to drink anything. Somebody said that discussi n will come up on the incidents of 19th and 20th. These pawn brokers have plenty of money but they evade income tax. If you demand a receipt after pledging anything they demand extra money for this also. After one year, the amount of 100 rupees or whatever it is, will also be auctioned. Therefore, you will have to see to the effective implementation of the Act and also ensure periodical check up of these pawn brokers. With these few words, I welcome the Bill.

†ಶ್ರೀ ಡಿ. ಜಯದೇವರಾಜ ಅರಸ್ (ಚಾಮುಂಡೇಶ್ವರಿ):— ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಈ ಪಾನ್ ಬ್ರೋಕರ್ಸ್ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬಿಲ್ಲನ್ನು ತಂದು ಪಾನ್ ಬ್ರೋಕರ್ಸ್ ಅವರ ವ್ಯವಹಾರವನ್ನು ರಿಸ್ಟ್ರಿಕ್ಟ್ ಮಾಡಿ, ಪನಿಷ್‌ಮೆಂಟ್ ಹೆಚ್ಚು ಮಾಡಿ ಅವರನ್ನು ತಹಬಂದಿಗೆ ತರುವ ದೃಷ್ಟಿಯಿಂದ ಏನು ತಂದಿದ್ದಾರೆ ಇದನ್ನು ಅಷ್ಟರಮಟ್ಟಿಗೆ ಸ್ವಾಗತಿಸುತ್ತೇನೆ ; ಮತ್ತು ಇದರ ಬಗ್ಗೆ ಕೆಲವು ಸಲಹೆಗಳನ್ನು ಕೊಡಲು ಇಷ್ಟಪಡುತ್ತೇನೆ. ಪಾನ್ ಬ್ರೋಕರ್ಸ್ ಬಗ್ಗೆ ಇನ್ಸ್‌ಪೆಕ್ಷನ್ ಮಾಡಬೇಕು ಎಂದು ಮಾನ್ಯ ಆರ್ಮುಗಂ ಅವರು ಹೇಳಿದರು. ಈಗ ಕೋ ಆಪರೇಟೀವ್ ರಿಜಿಸ್ಟ್ರಾರವರ ಆಡಳಿತದಲ್ಲಿ ಒಬ್ಬರು ಇನ್ಸ್‌ಪೆಕ್ಟರ್ ಇದ್ದಾರೆಂದು ಕಾಣುತ್ತದೆ. ಅವರನ್ನು ಯಾರ ಕೈಗೂ ಸಿಕ್ಕದೇ ಇರತಕ್ಕಂಥ ಅಧಿಕಾರಿಯನ್ನಾಗಿ ಇಟ್ಟಿದ್ದೀರಿ. ಅವರ ಮೇಲೆ ಚೆಕ್ ಮಾಡುವುದಕ್ಕೆ ಯಾರೂ ಇಲ್ಲ. ಡೆಟ್ ರಿಲೀಫ್ ಆಕ್ಟ್ ಜಾರಿಗೆ ತಂದ ಮೇಲೆ ಪಾನ್ ಬ್ರೋಕರ್ಸ್‌ಗೆ ಇಲ್ಲಿ ಏನು ಉಳಿದಿದೆ, ಅವರಿಂದ ಬಿಡುಗಡೆ ಏನೂ ಆಗಿಲ್ಲ. ಡೆಟ್ ರಿಲೀಫ್ ಆಕ್ಟ್ ಪಾನ್ ಬ್ರೋಕರ್ಸ್ ಆಕ್ಟ್—ಈ ಎರಡನ್ನೂ ಹೊಂದಾಣಿಕೆ ಮಾಡಿದರೆ ಡೆಟ್ ರಿಲೀಫ್ ಆಕ್ಟ್‌ನ್ನು ಜಾರಿಗೆ ತಂದೆವು. ಆದರೆ ಪಾನ್ ಬ್ರೋಕರ್ಸ್ ಆಕ್ಟ್‌ನ್ನು ಪೂರ್ಣವಾಗಿ ಜಾರಿಗೆ ಕೊಡಲಿಕ್ಕೆ ಆಗಲಿಲ್ಲ. ಏಕೆಂದರೆ ಇವರು ಈ ಒಂದು ಹಿಡಿತಕ್ಕೆ ಸಿಕ್ಕಲಿಲ್ಲ. ಆದರೆ ಇದನ್ನೇ ಮುಂದುವರಿಸಿಕೊಂಡು ಹೋಗಬೇಕಾದಂಥ ಪರಿಸ್ಥಿತಿ ಇವತ್ತು ದೇಶದಲ್ಲಿ ಇಲ್ಲ. ದೊಡ್ಡವರು ಬ್ಯಾಂಕ್‌ನಲ್ಲಿ ಚಿನ್ನ, ಬೆಳ್ಳಿ ಇಟ್ಟುಕೊಂಡು ವ್ಯವಹಾರ ಮಾಡುತ್ತಾರೆ. ಬಡವರು ತಂದುಕೊಡತಕ್ಕಂಥ ಸಾಮಾನು ಮತ್ತು ಕಳ್ಳರು ಕದ್ದಿರತಕ್ಕಂಥ ಸಾಮಾನನ್ನು ಇಟ್ಟುಕೊಂಡು ಜೀವನ ಮಾಡತಕ್ಕಂಥವರು ಈ ಪಾನ್ ಬ್ರೋಕರ್ಸ್. ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಇವರಿಗೆ ಹೆಚ್ಚು ಪನಿಷ್‌ಮೆಂಟ್ ಕೊಡುವಂತೆ ಹೇಳಿದ್ದೀರಿ. ಮುಂದೆ ಯಾದರೂ ಪಾನ್ ಬ್ರೋಕರ್ಸ್ ಇರಬೇಕೇ ಬೇಡವೇ ಎಂಬುದನ್ನು ತಾವು ಆಲೋಚನೆ ಮಾಡಬೇಕು. ಪಾನ್ ಬ್ರೋಕರ್ಸ್‌ನ್ನು ರೆಗ್ಯುಲರೈಸ್ ಮಾಡುವುದಕ್ಕಿಂತ ಅವರ ವ್ಯವಹಾರವನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯದಲ್ಲಿ ತಪ್ಪಿಸಿದರೆ ತುಂಬಾ ಅನುಕೂಲವಾಗುತ್ತದೆ ಎಂಬ ವಿಷಯವನ್ನು ತಮ್ಮ ಮುಂದಿಡುತ್ತಿದ್ದೇನೆ. ಇಷ್ಟೇ ಅಲ್ಲದೆ ಇನ್ನೂ ಒಂದು ವಿಷಯವಿದೆ. ಕೋರ್ಟ್‌ಗಳಲ್ಲಿ ಕೆಲವು ಸಾಮಾನುಗಳನ್ನು ಅಂದರೆ ಯಾರು ಒಬ್ಬ ಮನುಷ್ಯನ ನಿತ್ಯ ಜೀವನಕ್ಕೆ ಬೇಕಾದಂಥ ಸಾಮಾನುಗಳು ಏನು ಇರುತ್ತವೆ ಅದನ್ನು ಜಪ್ತಿ ಮಾಡಕೊಡದು ಎಂದು ಇದೆ.

SRI V. M. KUSHNOOR :- Sir, I welcome some of the suggestions but I have my own reservations on some points. Regarding the prohibition of pawn brokers,—whether it is legally possible, or not, whether it comes under Article 14 of the Fundamental Rights or not—we will have to see, according to the Constitution. Earlier in

the Act, if certain pawn brokers pledges articles with the banks, we were not having any authority to say anything about that pawned articles. Now, we have got the authority after coming into force of this Amendment Act. Now in this Amendment, we have inserted a new Section, 16A, according to which, a pawnbroker has been given a a time of thirty days from the date of commencement of this Act to redeem the pledge. What I wanted to say is, that the pawnbroker who has pledged the articles with the Banks will have to redeem and return it to the person who has pawned within thirty days from the date of such commencement of this Act. This provision of 30 days is necessary because immediately after the coming into force of this Act, some time should be given to get back and return it to the person concerned who has pawned.

Therefore, we have given 30 days. Earlier, the punishment for the offence prescribed was up to six months. The Courts were giving a punishment of only one day *i. e* till the rising of the Court. In order to avoid that, we have now proposed here the minimum punishment and penalty. We have stated here that the imprisonment shall not be less than one month and the minimum penalty shall not be less than Rs. 500. This is really a drastic act. Not only that, we have also made it cognizable. The Police can take cognizance. My submission to this House is, after the coming into force of this Act, whatever methods the pawn brokers are using to harass the people or tease the people will be stopped. Then, I would like to mention here that once they take the licence, there is no provision to cancel it but when once we issue the licence, we have a right to refuse to give extension of time. Once the Government comes to know that a particular pawn broker has contravened the provisions of the Act, we will certainly cancel his licence. Now another point has been raised by the hon. Member to the effect that there is no supervision by the Department. I will assure the Hon. Members of this House that I will see that the Officers will go and supervise and search the shops and find out whether a particular pawn broker is acting according to law, whether he was committed any offence and all those things once in every month or two months. I will take action to do that. It has also been stated that there is no other arrangement for the advancement of loans to the weaker sections, with the result they go to the pawn brokers and pledge their articles etc. I would like to say in this connection that the consumption loan has been provided by the DCC Banks, Apex Banks and even the Co-operative Societies also. Even in the Cities, the Apex Bank Branches are accepting the gold and on the basis of the gold, they are advancing the loans. But the branches of the Apex Bank are not there in all places of the City but

I have already asked the Apex Bank people to open more branches in different parts of the Cities. In the Apex Bank branches, loans are being advanced to the weaker sections. With these observations, my submission is that this Amendment Bill be passed by this August House unanimously.

MR. CHAIRMAN.—The question is :

"That the Karnataka Pawn Brokers (Amendment) Bill, 1979 be taken into consideration."

The Motion was adopted.

CLAUSES 2 to 5

MR. CHAIRMAN.—The question is :

"That Clauses 2 to 5, both inclusive, do stand part of the Bill."

The Motion was adopted

Clauses 2 to 5, both inclusive, were added to the Bill.

CLAUSE 1 etc.

MR. CHAIRMAN.—The question is :

"That Clause 1, the Long Title, the Preamble and the Enacting Formula do stand part of the Bill."

The Motion was adopted

Clause 1, the Long Title, the Preamble and the Enacting Formula were added to the Bill.

MOTION TO PASS

SRI V. M. KUSHNOOR (Minister for Co-operation).—Sir, I beg to move :

"That the Karnataka Pawn Brokers (Amendment) Bill, 1979 be passed."

MR. CHAIRMAN.—The question is :

"That the Karnataka Pawn Brokers (Amendment) Bill, 1979 be passed."

The Motion was adopted and the Bill was passed.